

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MARATHON PETROLEUM COMPANY LP,
formerly known as MARATHON PETROLEUM
COMPANY, LLC,

Plaintiff,

v.

Case Number 09-13804
Honorable David M. Lawson
Magistrate Judge Paul J. Komives

MIDWEST MARINE, INC, WALTER S.
CYTACKI, ALFRED CYTACKI, and ALICIA
CYTACKI KRALL,

Defendants,

and

MIDWEST MARINE, INC,

Counter Claimaint,

v.

MARATHON PETROLEUM COMPANY LP,
formerly known as MARATHON PETROLEUM
COMPANY, LLC,

Counter Defendant.

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ORDER DENYING REQUEST FOR ORDER OF REDACTION

The matter is before the Court on the parties' stipulation for redaction of transcript of hearing on plaintiff's motion to show cause and request for order of redaction. On December 21, 2011, the Court heard oral argument on the plaintiff's motion for an order requiring the defendants to show cause why they had not complied with the Court's July 18, 2011 order granting plaintiff's motion to compel discovery responses. The plaintiff requested attorney's fees, and the Court inquired in to plaintiff's counsel's hourly rates in order to determine a reasonable hourly rate as part of the

lodestar. The Court granted the plaintiff attorney's fees at the conclusion of the December 21, 2011 hearing. A transcript of the hearing was filed on January 5, 2012, presumably because its production was ordered by one of the parties. *See* dkt. #197.

The parties now ask the Court to redact either the entire transcript or only the discussion pertaining to hourly rates. However, the parties have not cited any authority in support of their request. Moreover, the hearing was in open court, and the Court's records are public record. *In re Knoxville News-Sentinel Co., Inc.*, 723 F.2d 470, 474 (6th Cir. 1983) (recognizing "long-established legal tradition" that public has right of access to public court's records). Plaintiff's counsel contends that the hourly rates her law firm charges its clients is proprietary information. But that information was presented to the Court, in response to its questions, and the Court considered Ms. Johnston's hourly rate as a factor in determining a reasonable hourly rate to award her. Therefore, it would be inappropriate to redact it from the record.

Accordingly, it is **ORDERED** that the parties' request for redaction of transcript [dkt. #203] is **DENIED**.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: February 1, 2012

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on February 1, 2012.

s/Deborah R. Tofil
DEBORAH R. TOFIL